

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

CEMENT MASONS LOCAL 527,)	
et al.,)	
)	
Plaintiffs,)	
)	
vs.)	No. 4:07-CV-484 (CEJ)
)	
CORBETT CONCRETE, INC.,)	
)	
Defendant.)	

MEMORANDUM AND ORDER

This matter is before the Court on plaintiffs' motion to compel defendant to appear for a post-judgment deposition pursuant to Fed. R. Civ. P. 69(a).

Default judgment was entered against defendant in the amount of \$94,404.50 on June 15, 2007. In an attempt to collect the judgment, plaintiffs sent notice of a post-judgment deposition to defendant, requesting that defendant's officer James P. Dunman, Jr., appear and produce documents on January 16, 2008. Mr. Dunman did not respond to the notice and did not appear at the designated time. Plaintiffs request that the Court compel him to appear and to produce the requested documents on February 18, 2008.

"The law allows judgment creditors to conduct full post-judgment discovery to aid in executing judgment." Credit Lyonnais, S.A. v. SGC Intern., Inc., 160 F.3d 428, 430 (8th Cir. 1998). Indeed, "[t]he right to conduct discovery applies both before and after judgment." Id. Of course, even after judgment the Court still retains the discretion to limit the scope of such discovery. See Id.

The Court finds that plaintiffs are entitled to take post-judgment depositions of defendant's officers, including Mr. Dunman. Further, the Court finds that the requested discovery, including the

documents to be produced, is relevant to the collection of plaintiffs' judgment.

Accordingly,

IT IS HEREBY ORDERED that plaintiffs' motion to compel [#36] is **granted**.


IT IS FURTHER ORDERED that James P. Dunman, Jr., as an officer of defendant, shall appear for and submit to a post-judgment deposition on **Monday, February 18, 2008**, beginning at **10:00 a.m.** in the law offices of Hammond, Shinnars, Turcotte, Larrew and Young, P.C., 7730 Carondelet Ave., Suite 200, St. Louis Missouri 63105.

IT IS FURTHER ORDERED that Mr. Dunman shall, at the time he appears for the above deposition, produce to plaintiffs all of the documents requested in the "Notice of Rule 69 Deposition" previously received by defendant.

IT IS FURTHER ORDERED that the Clerk of Court shall mail a copy of this order to the following address:

Corbett Concrete, Inc.
Attn: James P. Dunman, Jr.
30 Gerber Industrial Court
St. Peters, MO 63376

Failure to comply with this order may result in the imposition of sanctions, as authorized by Fed. R. Civ. P. 37, and may be deemed a contempt of court.


CAROL E. JACKSON
UNITED STATES DISTRICT COURT

Dated this 28th day of January, 2008.